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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,625	07/10/2003	Ulug Bayazit	2102484-902002	4266
26379	7590	09/26/2007		
DLA PIPER US LLP 2000 UNIVERSITY AVENUE E. PALO ALTO, CA 94303-2248			EXAMINER VO, TUNG T	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 09/26/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/617,625	Applicant(s) BAYAZIT, ULUG	
	Examiner Tung Vo	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 17-22 and 28-41 is/are pending in the application.
- 4a) Of the above claim(s) 1-16 and 18-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17-22 and 28-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 17-19, 21, and 28-30, 33-34, 36-38, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (US 6,430,222 B1).

Re claims 17 and 36. Okada teaches a signal coding apparatus (fig. 2), comprising:

a partitioning component (14 of fig. 2, details in figure 3) that divides a field of data into a plurality of data groups (macroblocks) (fig. 4), wherein respective ones of said plurality of data groups further comprise a spatial data content (SPECIFIC BLOCK MAP and SPECIFIC AREA BLOCKS are in frame as a video signal in a spatial domain, so the SPECIFIC BLOCK MAP and SPECIFIC AREA BLOCKS would obviously be spatial data content);

a transform component (3 of fig. 2) that encodes respective ones of said plurality of data groups, said data groups represented by respective transform coefficients (the DCT obviously generates coefficients of the macroblocks; col. 7, lines 62-63) , and wherein respective ones of said plurality of data groups further comprise a coding mode (16 of fig. 2, coding mode determining section for determining inter and intra modes based on the macroblocks of the frame);

a quantizing component (4 of fig. 2) that compresses said respective transform coefficients representing said plurality of data groups;

a compressing component (5 of fig. 2) that further compresses said quantized transform coefficients; and

a rate control component (17 of fig. 2) that maps each unique pair (luminance and chrominance of macroblocks are disclosed in columns 9) of a class of features of said groups of data (figs 3 and 3), and a quantization parameter (quantization stepsize) to a unique estimate for a number of coding bits, wherein respective ones of said spatial data content and said coding mode are factored into the estimation process by the utilization of said class of features (col. 3, line 64-col. 4, line 12).

Re claims 18, 28, 33, and 37, Okada further teaches wherein said features of said groups of data comprises data indicating pixel luminance intensity values and corresponding pixel chrominance intensity values (22-24 of fig.3, col. 9, lines 15-53).

Re claims 19, 29, 34, and 38, Okada further discloses wherein said transform component comprises a two-dimensional orthogonal transform (col. 7, lines 55-66).

Re claims 21, 20, and 40. Okada further discloses wherein said orthogonal transform comprises a discrete cosine transform operating on one of the intensity values of the pixels of a group of data (col. 7, lines 55-64), and the error of the temporal prediction from one or more temporally local groups of data (12 of fig. 2).

3. Claims 20, 22, 31-32, 35, 39, and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada (US 6,430,222 B1) in view of Cornog et al. (US 6,330,369).

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Re claims 20, 22, 31-32, 35, 39, and 41, Okada further teaches wherein said compressing component comprises a variable length coder (5 of fig. 2), and quantization stepsize.

It is noted that Okada does not particularly teach a run-length coder and a uniform scalar quantizer.

However, Cornog teaches a run-length coder (col. 1, lines 40-43) and a uniform scalar quantizer (fig. 3).

Taking the teachings of Okada and Cornog as a whole, it would have been obvious to one of ordinary skill in the art to modify the run length coder and uniform scalar quantizer of Cornog into the apparatus of Okada for limiting data rate and image quality loss in lossy compression of sequences of digital images.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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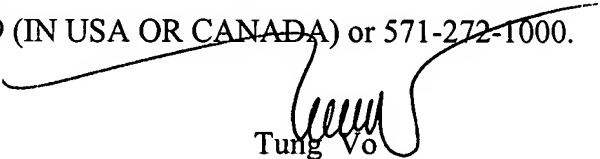
however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tung Vo  
Primary Examiner  
Art Unit 2621